

**Apr 23, 2019**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

ALFONSO OLIVERA B. and MARIA  
OLIVERA-SUAREZ, also known as  
Maria Olivera,

Plaintiffs,

v.

UNITED STATES,

Defendant.

No. 1:17-cv-03050-SMJ

**ORDER CONDITIONALLY  
DISMISSING CASE**

On April 19, 2019, the parties filed a Joint Motion to Dismiss Conditionally, ECF No. 45, and related motion to expedite, ECF No. 46. Consistent with the parties' agreement and Federal Rule of Civil Procedure 41(a)(2), **IT IS HEREBY ORDERED:**

1. The parties' Joint Motion to Dismiss Conditionally, **ECF No. 45**, and related motion to expedite, **ECF No. 46**, are **GRANTED**.
2. All claims are **CONDITIONALLY DISMISSED WITH PREJUDICE**. Each side will bear its own attorneys' fees, expenses, and costs, and this Court will not retain jurisdiction over this matter,

1 the settlement, or Defendant. Dismissal is **CONDITIONED** upon,  
2 and not effective until and unless both of the following occur: (1) a  
3 wire-transfer of the Upfront Cash amount, and (2) the purchase of the  
4 annuity, as described in the parties' Stipulation for Compromise.


5 **3.** When both of the above conditions have been fulfilled, defense  
6 counsel shall file a Notice certifying the fulfillment of both conditions  
7 and requesting that the case be closed. The Notice shall be titled  
8 "Notice of Fulfillment and Requesting Closure of the Case."

9 **4.** All pending motions are **DENIED AS MOOT**.

10 **5.** All hearings and other deadlines are **STRICKEN**.

11 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and  
12 provide copies to all counsel.

13 **DATED** this 23rd day of April 2019.

14   
15 SALVADOR MENDOZA, JR.  
United States District Judge